



Order Filed on May 24, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:

**BAV AUTO, L.L.C. a/k/a
COSTA'S AUTO GALLERY,**


Debtor.

Case No.: 22-17933
Chapter: 7
Judge: John K. Sherwood

**ORDER DENYING MOTION FOR RELIEF FROM STAY BY XL FUNDING, LLC d/b/a
AXLE FUNDING, LLC f/k/a AUCTION CREDIT ENTERPRISES, LLC**

The relief set forth on the following page is hereby **ORDERED**.

DATED: May 24, 2023



Honorable John K. Sherwood
United States Bankruptcy Court

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Debtor: BAV Auto, L.L.C. a/k/a Costa's Auto Gallery

Adv. Pro.: 22-17933

Caption of Order: **ORDER DENYING MOTION FOR RELIEF FROM STAY BY XL FUNDING, LLC
d/b/a AXLE FUNDING, LLC f/k/a AUCTION CREDIT ENTERPRISES, LLC**

UPON consideration of the motion filed on behalf of XL Funding, LLC d/b/a Axle Funding, LLC f/k/a Auction Credit Enterprises, LLC (the "Movant"), by its counsel, Joseph H. Lemkin, Esq., for an order granting relief from the automatic stay [ECF No. 49] as to "all accounts, deposit accounts, general intangibles, documents, instruments, investment property, chattel paper (including without limitation letters of credit, retail installment sales contracts, bills of sale, documents of title, books and records), inventory (as defined in the Note), whether now existing or acquired and wherever located, and all additions, accessions, accessories, replacements, and proceeds" as well as seven specifically identified vehicles, it is hereby

ORDERED:

The motion is denied for failure to properly serve all interested parties.

In re:
BAV AUTO L.L.C.
Debtor

Case No. 22-17933-JKS
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: May 25, 2023

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 27, 2023:

Recip ID	Recipient Name and Address
db	+ BAV AUTO L.L.C., 80 Columbia Avenue, Kearny, NJ 07032-2948

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 27, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 25, 2023 at the address(es) listed below:

Name	Email Address
Donna L. Thompson	on behalf of Creditor Automotive Finance Corporation donna.thompson@dlthompsonlaw.com dlthompsonlaw@aol.com
Drew S. McGehrin	on behalf of Creditor Vero Finance Technologies Inc. dsmcgehrin@duanemorris.com
Eamonn O'Hagan	on behalf of Creditor United States of America (Internal Revenue Service) eamonn.ohagan@usdoj.gov
John O'Boyle	on behalf of Debtor BAV AUTO L.L.C. joboyle@norgaardfirm.com sferreira@norgaardfirm.com;kcimmino@norgaardfirm.com;crose@norgaardfirm.com;dtakach@norgaardfirm.com
John O'Boyle	on behalf of Interested Party Alexandre Dacosta and Vivianne Antunes joboyle@norgaardfirm.com sferreira@norgaardfirm.com;kcimmino@norgaardfirm.com;crose@norgaardfirm.com;dtakach@norgaardfirm.com
Joseph H. Lemkin	

District/off: 0312-2

User: admin

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Date Rcvd: May 25, 2023

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Total Noticed: 1

on behalf of Creditor XL Funding LLC dba Axle Funding, LLC fka Auction Credit Enterprises, LLC jlemkin@stark-stark.com

Joseph H. Lemkin

on behalf of Creditor Auction Credit Enterprises LLC jlemkin@stark-stark.com

Mark Politan

mpolitan@politanlaw.com

Mark Politan

on behalf of Trustee Mark Politan mpolitan@politanlaw.com

Peter J. D'Auria

on behalf of U.S. Trustee U.S. Trustee Peter.J.D'Auria@usdoj.gov

Regina Cohen

on behalf of Creditor Westlake Flooring Services rcohen@lavin-law.com mmalone@lavin-law.com

Regina Cohen

on behalf of Creditor Westlake Flooring Company LLC d/b/a Westlake Flooring Services rcohen@lavin-law.com, mmalone@lavin-law.com

Steven D. Pertuz

on behalf of Debtor BAV AUTO L.L.C. pertuzlaw@verizon.net G16461@notify.cincompass.com

Steven D. Pertuz

on behalf of Interested Party Alexandre Dacosta and Vivianne Antunes pertuzlaw@verizon.net G16461@notify.cincompass.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 15